

**Senate File 192 - Introduced**

SENATE FILE 192

BY NUNN

**A BILL FOR**

1 An Act creating a line of duty reimbursement for COVID-19  
2 pandemic-related health care costs of qualified volunteer  
3 emergency services providers, providing an appropriation,  
4 and providing effective and applicability dates.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 80.48 Qualified volunteer emergency  
2 services providers — COVID-19 pandemic-related health care costs  
3 and line of duty reimbursement — fund.

4     1. The commissioner shall issue line of duty health care  
5 reimbursement warrants for payment of health care claims by  
6 qualified volunteer emergency services providers approved for  
7 payment by the commissioner under subsection 2.

8     2. *a.* If the commissioner determines, upon the receipt of  
9 evidence and proof from the supervising entity or employer of  
10 a qualified volunteer emergency services provider, that the  
11 health care costs of a qualified volunteer emergency services  
12 provider were incurred as the result of the volunteer's  
13 performance in the line of duty related to the COVID-19  
14 pandemic on or after January 1, 2020, the commissioner shall  
15 issue a line of duty health care reimbursement warrant in an  
16 amount not to exceed one thousand dollars in a lump sum to the  
17 qualified volunteer emergency services provider.

18     *b.* For the purposes of evidence and proof that a qualified  
19 volunteer emergency services provider incurred COVID-19  
20 pandemic-related health care costs as the result of the  
21 volunteer's performance in the line of duty, there is a legal  
22 presumption that a qualified volunteer emergency services  
23 provider incurred such costs in the line of duty if the  
24 volunteer had direct contact with or was in close proximity to  
25 members of the public or other volunteers while performing in  
26 the line of duty during the duration of the COVID-19 pandemic,  
27 and if the volunteer received a presumptively positive or  
28 laboratory confirmed COVID-19 diagnosis or if the diagnosis was  
29 documented by a health care provider based on the volunteer's  
30 symptoms.

31     *c.* A line of duty health care reimbursement shall only  
32 be payable if the portion of the health care costs being  
33 reimbursed are not payable by another third-party source.

34     *d.* The line of duty health care reimbursement provided  
35 under this section does not constitute an entitlement, shall

1 only be provided to the extent that funds are appropriated  
2 and available for such purpose, and shall be provided on a  
3 first-come, first-served basis. An application for a line of  
4 duty health care reimbursement is deemed to be submitted when  
5 all required supporting documentation has been received by the  
6 department of public safety.

7     e. Receipt of a line of duty health care reimbursement  
8 under this section shall not preclude or affect receipt of  
9 any benefit received while in state active duty as defined in  
10 section 29A.1, unemployment compensation insurance, long-term  
11 disability insurance benefits, workers' compensation benefits,  
12 or any other compensation or benefit for which a qualified  
13 volunteer emergency services provider may be eligible.

14     3. a. A qualified volunteer emergency services provider  
15 reimbursement fund is created in the state treasury under the  
16 control of the commissioner. The fund shall consist of all  
17 moneys appropriated or transferred to the fund and moneys in  
18 the fund are appropriated to the department of public safety  
19 for reimbursement of the health care costs of qualified  
20 volunteer emergency services providers as provided in this  
21 section.

22     b. Notwithstanding section 12C.7, subsection 2, interest or  
23 earnings on moneys deposited in the fund shall be credited to  
24 the fund. Notwithstanding section 8.33, moneys credited to the  
25 fund shall not revert at the close of a fiscal year but shall  
26 remain available for the purposes of the fund.

27     4. The department shall adopt rules pursuant to chapter 17A  
28 to administer this section.

29     5. For purposes of this section:

30     a. *"Employer"* means an entity that is required to provide  
31 workers' compensation coverage for a qualified volunteer  
32 emergency services provider.

33     b. *"Qualified volunteer emergency services provider"* means  
34 any of the following:

35     (1) A volunteer fire fighter as defined in section 85.61.

1 (2) A person performing the functions of an emergency  
2 medical care provider as defined in section 147A.1 who was not  
3 paid full-time by the entity for which such services were being  
4 performed at the time the duty or work under this section was  
5 performed.

6 (3) A reserve peace officer as defined in section 80D.1A.

7 (4) A volunteer ambulance driver as defined in section  
8 85.61.

9 (5) A member of the national guard on state active duty as  
10 defined in section 29A.1.

11 (6) Any other person performing fire, law enforcement,  
12 ambulance, medical, or other emergency services on a volunteer  
13 basis.

14 Sec. 2. QUALIFIED VOLUNTEER EMERGENCY SERVICES PROVIDER  
15 REIMBURSEMENT FUND — TRANSFER OF FUNDS. There is transferred  
16 from the Iowa coronavirus relief fund for deposit in the  
17 qualified volunteer emergency services provider reimbursement  
18 fund created in section 80.48, for the fiscal year beginning  
19 July 1, 2020, and ending June 30, 2021, the following  
20 amount, or so much thereof as is necessary, for the purposes  
21 designated:

22 For the issuance of warrants for reimbursement of health  
23 care claims of qualified volunteer emergency services providers  
24 approved by the commissioner of public safety pursuant to  
25 section 85.48:

26 ..... \$ 20,000,000

27 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate  
28 importance, takes effect upon enactment.

29 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies  
30 retroactively to July 1, 2020.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with  
33 the explanation's substance by the members of the general assembly.

34 This bill provides for reimbursement of COVID-19  
35 pandemic-related health care costs of qualified volunteer

1 emergency services providers. The bill provides a process  
2 for the commissioner of public safety to issue warrants for  
3 a line of duty health care reimbursement in an amount not to  
4 exceed \$1,000 in a lump sum to a qualified volunteer emergency  
5 services provider, if the commissioner determines, upon the  
6 receipt of evidence and proof from the supervising entity  
7 or an employer of a qualified volunteer emergency services  
8 provider, that the health care costs were incurred as the  
9 result of the volunteer's performance in the line of duty  
10 related to the COVID-19 pandemic on or after January 1, 2020.  
11 The bill describes the criteria under which there is a legal  
12 presumption that a qualified volunteer emergency services  
13 provider incurred COVID-19 pandemic-related health care costs  
14 in the line of duty for the purposes of providing evidence and  
15 proof for the line of duty reimbursement. A reimbursement  
16 shall only be payable if the portion of the health care  
17 costs being reimbursed are not payable by another third-party  
18 source. The line of duty health care reimbursement does not  
19 constitute an entitlement, shall only be provided to the extent  
20 that funds are appropriated and available for such purpose,  
21 and shall be provided on a first-come, first-served basis.  
22 Receipt of a line of duty health care reimbursement shall  
23 not preclude or affect receipt of any benefit received while  
24 engaged in state active duty or from unemployment compensation  
25 insurance, long-term disability insurance benefits, workers'  
26 compensation benefits, or any other compensation or benefit for  
27 which a qualified volunteer emergency services provider may be  
28 eligible.

29 The bill creates a qualified volunteer emergency services  
30 provider reimbursement fund in the state treasury under  
31 the control of the commissioner of public safety. The fund  
32 consists of all moneys appropriated or transferred to the fund,  
33 and moneys in the fund are appropriated for reimbursement of  
34 the health care costs of qualified volunteer emergency services  
35 providers as provided in the bill. Interest or earnings on

1 moneys deposited in the fund shall be credited to the fund and  
2 moneys credited to the fund shall not revert at the close of a  
3 fiscal year but shall remain in the fund for purposes of the  
4 fund.

5 The department of public safety shall adopt administrative  
6 rules to administer the bill. The bill provides definitions  
7 for "employer" and "qualified volunteer emergency services  
8 provider" for the purposes of the bill.

9 The bill transfers moneys from the Iowa coronavirus relief  
10 fund to the qualified volunteer services provider reimbursement  
11 fund for FY 2020-2021 to be used for issuance of warrants for  
12 payment of health care claims by qualified volunteer emergency  
13 services providers approved for payment by the commissioner of  
14 public safety pursuant to the bill.

15 The bill takes effect upon enactment and is retroactively  
16 applicable to July 1, 2020.